



UNITED STATES PATENT AND TRADEMARK OFFICE

Application No. : 10/661,582
Applicant : JACK L. JEWELL
Filed : SEPTEMBER 15, 2003
Title : A LIGHT EMITTING DEVICE

Art Unit : 2828
Examiner : VAN ROY, TOD T.

Atty Docket No. : PICO-0047-1

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

TERMINAL DISCLAIMER

Sir:

Now comes the undersigned, Attorney of Record in the present application, who avers as follows:

Picolight, Inc., is the owner of the entire right, title and interest in and to the invention claimed and disclosed in the above-captioned patent application by virtue of assignment, recorded on January 12, 2004, at reel 014880, frame 0688.

Picolight, Inc. hereby disclaims, except as provided below, the terminal part of the statutory term of any patent granted on the above-identified application, which would extend beyond the expiration date of the full statutory term defined in 35 U.S.C. §§ 154 to 156 and 173, as presently shortened by any terminal disclaimer of United States Patent No. 6,014,395. The owner, Picolight, Inc., hereby agrees that any patent so granted on the above-identified application shall be enforceable only for and during such period that the legal title to said patent shall be the same as the legal title to United States Patent No. 6,014,395. This agreement runs with any patent granted on the above-identified application and to be binding upon the grantee, its successors or assigns.

In making the above disclaimer, Picolight, Inc. does not disclaim any terminal part of any patent granted on the above-captioned application prior to the expiration date of the full statutory term as presently shortened by any terminal disclaimer of United States Patent No. 6,014,395, in the event that it later: expires for failure to pay a

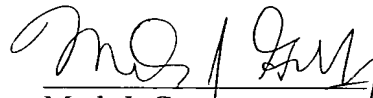
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Serial No.: 10/661,582

maintenance fee, is held unenforceable, is found invalid by a court of competent jurisdiction, is statutorily disclaimed in whole or terminally disclaimed under 37 C.F.R. § 1.321(a), has all claims cancelled by a reexamination certificate, is reissued, or is otherwise terminated prior to the expiration of its full statutory term as presently shortened by any terminal disclaimer, except for the separation of legal title stated above.

Respectfully submitted,


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